

1885-011 Chancery Causes: Adm. of David R. Kane in &c vs. John Riddle
Lee Co.

Fugate, Shoemaker

CA-Debt
T-Property

To the Honorable John A. Kelly Judge of
the Circuit Court of the County
Your Orator Mr. C. Lyfull Son of
Estate of David R. Kane deceased who
sues for the benefit of James L. Haemke
Administrator of Estate of A. H. Kane deceased
would Respectfully Represent unto
Your Honor that at the Term
18 he obtained a judgment against
John Riddell in your Honor's court for
the sum of \$110.34 with legal
interest thereon from the 23 day of
April 1858 till paid and \$7.00 costs
at Law, upon which Execution issued
and has been returned by the collecting
officers who had the same for collection.
No property found, copy of said paper
"Execution is ~~not~~ ^{not} ~~filed~~ ^{filed} ~~under~~ ^{under} (13)
Your Orator charges that the said
John Riddell had no personal
property liable to levy Out of which
said judgment could be made
Your Orator had his said judgment
doctored on the judgment Lien doctored
Your Orator charges that no part of
said judgment has ever been paid to
Your Orator or the said beneficiary
but that the whole amount still
remains due and unpaid
Your Orator is advised and

Charge that the said John Riddle
at the date of said judgment and
still owns a tract of Land in said
County in Jersey corner upon which his
family reside containing acres
upon which said Brother's said judgment
is a Lien, he also charges that the same will not net
for a sum sufficient to pay the same in five years
said Brother being without adequate
remedy at common law to enforce
his said Lien, and releasable only in a
court of Equity

His Prayers therefore is that the said
John Riddle be made a party defendant
to said Bill, that he be required to
answer the same truly On Oath
That upon a hearing said issues
shall be by all necessary and proper
Orders and decrees direct a sale of
said land or so much thereof as
will be sufficient to pay said judgment
interest & costs at law & costs of
this suit unless it shall appear that
said land will rent for a sum
sufficient to pay the same in less than
five years then that the same be
retained for that purpose
but shall said Brother in any
wise be mistaken in the relief
herein sought then that said issues

will grant unto him any and
all such other justice and several
relief as to Equity belongs and is
suited to the Peculiar circumstances
of his case may the Commonwealth
Writ of Habeas Corpus be
Dolaway

L 4.32 Jan 1880
 A 15.00
 2 .50
 17.82
 On 1.08 to July 1881
 H.C. 20.70
 5.98
 26.25
 28.90

P CH
 Mr. C. H. Yates same for
 vs Bill
John Riadob

1879 Oct. Bill Filed, Shaded
 + Decree nisi.
 11 Nov Decree nisi could + set
 for hearing by Plaff.
 11 Nov Decree to suit + could
 1880 Mr + Aug could
 1881 Mr. could. Aug could
 1882 Court this year
 1883 Mr. Aug. + Mr. could
 1884 Court this year
 1885 Mr. Decree retiring.

To the Honorable John A. Kelly Judge of the
Circuit Court of Lee County Virginia,

The answer of John Riddle to a bill
filed in this Honorable Court against this Res-
pondent by Wm L. Suggate et al per se

This Respondent for answer to said Bill
or so much thereof as he is advised ~~it~~ is ma-
terial for him to answer answers & says that
the rents & profits of his said lands will in five
years pay the debt or judgment of the said Plain-
tiff and he is ready to make & file a bond bind-
ing him self to make the rents & profits
of said land pay said debt in five years
and now having answered the Plaintiffs bill
as fully as he deems it material to an-
swer prays to be hence dismissed &c

Morison & Duncan
for Dft Riddle

Subscribed to before me by John Riddle Dec 2/77.
James W Orr, Clerk.

John Riddle

Ad. J. Answer

Wm. C. Fugate Adm. of Fort

Filed Dec 2nd 1879

Jas W. Orr. Clerk

Wm C. Huston Samr forest } In Chancery
John^{vs} Riadell

This cause came on again

this day to be heard upon the papers formerly
read and was argued by counsel
And it appearing that there is prior liens. now
in litigation

On consideration whereof it is adjudged ordered
and decreed that Complainant have execution for
his said debt interest & costs at law & costs of this
~~process~~, and the same is stricken from the docket
with leave to Complainant ^{by motion} to have the same
reinstated upon the docket for the purpose of
enforcing the several writs entered in
said cause

Wm C. Hyatt & Co. for sale
25 3/4
John Riddle

March Term 1885

Entered page 429

J. A. S. Hyatt & Co.

Entered
for A. K.
Mar. 26/85-

Mm to Lupton & Son for } Inquiry
29
Latin Reader

This cause came on this 4 day of December
1879 to be heard upon the Bill of
Complainant, Exhibits filed, the
Answer of Sept & several repleaded
terrors and was argued by counsel
And it appearing from Exhibits
or file in said cause that Sept
is to Complainant for the benefit of
J S Shoemaker Son of Estate of
of H S Kane deceased in the sum of
\$110.34 with legal interest thereon
from the 23^d day of April 1858 till
paid and of 7.00 costs at law which
is a judgment Lien upon the land
in the Bill mentioned. And it being
claimed by Sept that the rents of said
land will pay the same in less than
five years

On consideration whereof it is ordered
Ordered & decreed that unless the
Sept pay said judgment interest costs
at law & the costs of this proceeding
within 30 days from the date of this
decree, then it shall be the duty of
R A Sykes who is hereby appointed
a special comm for that purpose to rent
said lands in said Bill & proceedings
mentioned at public outcry in front
of the court house door of Lu county on

Some went very to the highest because
for the shorted period it will take to
pay the said proposed interest & costs at law
& costs of this proceeding. The costs of
this suit & expense of renting said
room will require said and
for the defend pay ment he will take
bonds payable to himself or said court
payable in equal annual installments
with good security retained & a lien upon
the land until it is ^{deed} ~~deed~~ is fully
paid up, but he for said court & occurs
to rent said land he will advertise the
time & place of said renting for at least
30 days upon the front door of said ^{court} court
house door & at one or more public places
in the neighborhood of the land and
report his proceedings to court and
the cause is continued

Wm C. Super
No 3
John R. R.

Page 78 & 79
Small Court

Center
p. 78
Dec. 4/77

At a Circuit Court Continued and
held for Lee County, at the Court house
thereof on Saturday the 30th day of
March 1878.

Wm. L. Sugate Admr de bonis non of
David N. Lane deceased for the benefit
of James L. Shoemaker, Admr of A. S. Lane
deceased. Plaintiff

vs

John Riddle

Defendant

In Debt

By agreement of the Parties, it is considered
by the Court that the Plaintiff recover
against the defendant \$110.34 the debt
in the declaration mentioned, with legal
interest thereon from the 23rd day of
April 1858 until paid, and the Costs, and
no exception is to issue on this judg-
ment until after the first day of
September 1878.

Attest

James H. Orr, Clerk

Y^r C. Tugate Adm^r for
55³ Copy of Budget
John Riddle.

Exhibit A,

Fee for this copy 20cts.

The Common Wealth of Virginia,
To the Sheriff of Lee County... Greeting!
We Command you, That, of the goods and
Chattels of John Riddle late in your
Cailiwick, you cause to be made \$110.³⁴
with legal interest Thereon, from the
23^d day of April 1858, till payment
which W^m C. Fugate Admr of D. R. Kane
decd for James L. Shornaker Admr of
H. S. Kane, decd, lately in our Circuit
Court for Lee County has recovered against
him, by suit for debt, also \$7⁰⁰ which to
the said Admr for &c.

In our said Court were adjudged for
his costs in that behalf expended, whereof
the said Riddle is convicted, as appears to
us of record. And that you have the
same before the Judge of our said Court,
at the Court-house, on the 1st Monday in
March next to render to the said Admr
of the debt and costs aforesaid. And have
then there this writ. Witness, James W. Orr,
Clerk of our said Court, at the Court-
house, this the 21st day of December 1878,
in the 103rd year of the Commonwealth.

James W. Orr, Clerk

A Copy -

Teste - James W. Orr, Clerk

W^m C. Fugate Adm^rve

vs Si Fa (Copy)

John Riddle

No property found.

J. C. Scott D. S.

for J. S. Ely S. L. C.

A Copy -

Testo - J. W. Orr, Clerk.

B

Fa for this Copy - 25¢

The Commonwealth of Virginia.

To the Sheriff of Lee County—Greeting:

We Command you to Summon

John Riddle

To appear at the Clerk's office of the Circuit Court of Lee county, at the court-house, on the first Monday in *Oct.* next, being rule day, to answer a bill in chancery, exhibited in our said court against

by *Wm C. Hugate Admr. of David R. Kane dead, who sues for the benefit of James L. Shoemaker Admr. of the Estate of A. S. Kane dead.*

And have then there this writ. Witness, Jas. W. Orr, clerk of our said court, at the court-house, this *6th* day of *Sept*, 1877, in the *104th* year of the Commonwealth.

J. W. Orr Jr. cl.
Clerk.

H.

Wm. C. Fugate Admin. for re

23 Zephaniah

John Riddle

Oct. Rules 1877.

Executed -

To Mules

for L. E. H. C.